



Jackson Lewis P.C.
666 Third Avenue
New York, New York 10017
Tel 212 545-4000
Fax 212 972-3213
www.jacksonlewis.com

ALBANY, NY	GRAND RAPIDS, MI	NAPA, CA	RALEIGH-DURHAM, NC
ALBUQUERQUE, NM	GREENVILLE, SC	NEW ORLEANS, LA	RAPID CITY, SD
ATLANTA, GA	HARTFORD, CT	NEW YORK, NY	RICHMOND, VA
AUSTIN, TX	HOUSTON, TX	NORFOLK, VA	SACRAMENTO, CA
BALTIMORE, MD	INDIANAPOLIS, IN	OMAHA, NE	SAINT LOUIS, MO
BIRMINGHAM, AL	JACKSONVILLE, FL	ORANGE COUNTY, CA	SAN DIEGO, CA
BOSTON, MA	LAS VEGAS, NV	ORLANDO, FL	SAN FRANCISCO, CA
CHICAGO, IL	LONG ISLAND, NY	PHILADELPHIA, PA	SAN JUAN, PR
CINCINNATI, OH	LOS ANGELES, CA	PHOENIX, AZ	SEATTLE, WA
CLEVELAND, OH	MEMPHIS, TN	PITTSBURGH, PA	STAMFORD, CT
DALLAS, TX	MIAMI, FL	PORTLAND, OR	TAMPA, FL
DAYTON, OH	MILWAUKEE, WI	PORTSMOUTH, NH	WASHINGTON, DC REGION
DENVER, CO	MINNEAPOLIS, MN	PROVIDENCE, RI	WHITE PLAINS, NY
DETROIT, MI	MORRISTOWN, NJ		

DIRECT DIAL: (212) 545-4073
EMAIL ADDRESS: MELLKW@JACKSONLEWIS.COM

December 5, 2014

Via ECF and First Class Mail

The Honorable Louis L. Stanton
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Ronard Lora and Hugo Rivera v. J.V.
Car Wash, Ltd. etc.
Index No. 11 CIV 9010

Dear District Court Judge Stanton:

We are Special Litigation Counsel to the Chapter 11 Bankruptcy Trustees for the four Car Wash Defendants (J.V. Car Wash, Ltd., Harlem Hand Carwash Corp., Webster Hand Car Wash Corp. and Bayway Hand Car Wash Corp.) and individual Defendant Jose Vasquez ("Debtors") in the above referenced matter. We write to request that the Court schedule a settlement conference in the above matter at which all parties are required to be present. As the Court may be aware, the Bankruptcy Trustees have been in place for only a few months and have been working through a myriad of issues concerning the Debtors, including attempting to resolve this matter. In furtherance thereof, the parties have been engaging in settlement negotiations for the past several months. The parties have exchanged information, had multiple discussions and met for a full day in an attempt to resolve Plaintiffs' claims. Further, Defendant Vasquez and the corporate Carwash Defendants served significant offers of judgment on each Plaintiff, which offers were accepted by two Plaintiffs, and rejected by the others. We believe that at this juncture, given an impending trial, a settlement conference with the Court with all parties present (including each Plaintiff, their counsel, Defendants and the Chapter 11 Trustees and counsel) would aid in resolving this matter. The Trustees believe that with the Court's intervention, a resolution could be reached as the Trustees feel the difference in the parties' positions can be bridged and the issue of attorneys' fees (which has been a sticking point throughout settlement negotiations) resolved. We request that the conference be held before Your Honor, and, if that is not possible, that the matter be referred to a Magistrate Judge for settlement discussions.

At this time, the parties are required to submit their Joint Pre-Trial Order, trial brief, voir dire and jury charges by December 17, 2014. The Court has scheduled a final pre-trial conference for December 19, 2014. Given the Trustees' and Defendants' request for court intervention in settlement discussions, we respectfully request that the December 19th conference

The Honorable Louis L. Stanton
United States District Court
December 4, 2014
Page 2

be converted into a settlement conference to be held on December 22, 2014 commencing at 11 a.m. or after (if available to the Court) with all interested parties present, and that the December 17th due date for pre-trial submissions be extended until January 9, 2014 (or at a reasonable date after a settlement conference is scheduled). This is the third request for an extension of the pre-trial submissions. However, this request is made in good faith given the Trustees desire, and significant attempts, to resolve this matter and the fact that the Trustee for the Carwash Debtors is in the process of closing Bayway Car Wash and converting that matter to a Chapter 7 Liquidation, an action that may have substantial impact on this litigation. Plaintiffs have consented to this request.

Respectfully submitted,

JACKSON LEWIS P.C.

s/Wendy J. Mellk, Esq.
Wendy J. Mellk

cc: Steven Arensen, Esq.
Laura Longobardi, Esq.
Daniel Stolz, Esq. (counsel to Chapter 11 Trustee for the Car Wash Defendants)
Stacey Meisel, Esq. (counsel to the Chapter 11 Trustee for Jose Vasquez)